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DAC (S) # 9  
4678

PETITION FOR REVIVAL OF A PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

First named inventor: Yan P. Bielek

Application No.: 09/373,294

Group Art Unit: 1771

Filed: 08/12/99

Examiner: D. Zirker

Title:

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

RECEIVED  
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OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for in reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Name: Sarah E. Kennedy

Date: 2/4/02

1. Petition Fee
  - Small entity - Fee \$ \_\_\_\_\_ (37CFR 1.17(m))
    - Small entity statement enclosed herewith.
    - Small entity statement previously filed.
  - Other than small entity - fee \$ 1,280.00 (37 CFR 1.17(m))
2. Reply and/or fee
  - A. The reply and/or fee to the above-noted Office action in the form of (identify type of reply):

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    - has been filed previously on \_\_\_\_\_.
    - is enclosed herewith.
  - B. The issue fee of \$ 1,280.00
    - has been paid previously on \_\_\_\_\_.
    - is enclosed herewith.
3. Terminal disclaimer with disclaimer fee
  - Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
  - A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity of \$ \_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).
4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Date: Feb 4, 2002



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William E. Hilton  
Reg. No. 35,192  
Samuels, Gauthier & Stevens LLP  
225 Franklin Street, Suite 3300  
Boston, MA. 02110  
(617) 426-9180, Ext. 111

- Enclosures:
- Fee Payment
  - Reply
  - Terminal Disclaimer Form
  - Small Entity Status Form
  - Other